

1 Exhibit 42, page four, it is a very difficult copy to read.
2 I pointed out to the witness where the, where it said radio
3 station license, and where the dates were, and where the
4 call sign was. But all I did was point.

5 BY MS. LANCASTER:

6 Q Mrs. Sumpter, turn to Exhibit 45. Do you
7 recognize this document?

8 A Yes.

9 Q It is a declaration that you had, that was
10 submitted to the FCC on your behalf. Is that correct?

11 A Yes.

12 Q Look on page six of the declaration. There is a
13 signature there that appears to be your signature, is that
14 correct?

15 A Yes.

16 Q Did you sign it?

17 A Yes.

18 Q When you signed it, did you understand that you
19 were submitting this to the FCC, under oath?

20 A Yes.

21 Q Okay. Go back to page two of this declaration.
22 If you will look at the fourth full paragraph on page two
23 that starts, "Some time in the spring of 1998."

24 A Yes.

25 Q I would like for you to read that to yourself.

1 (Witness examines document.)

2 Q Let me know when you have completed doing that.

3 A Okay.

4 Q That indicates that -- let me go back and have
5 you again look -- kind of put your finger there if you want
6 to -- and go back to 44, page four. Exhibit 44, page four.

7 When you wrote the statement, "I no longer hold
8 this license. It was transferred to R. D. Brasher," did
9 you -- what license were you talking about?

10 MR. McVEIGH: Objection. Misstates former
11 testimony.

12 JUDGE STEINBERG: Could you rephrase it or --

13 BY MS. LANCASTER:

14 Q When Jim wrote the statement, "I no longer hold
15 this license. It was transferred to R. D. Brasher," as far
16 as you were concerned, he was writing that on your behalf,
17 is that correct?

18 MR. ROMNEY: Jim? Are you asking about Jim
19 Sumpter?

20 MS. LANCASTER: She testified that Jim Sumpter
21 wrote this sentence, and she signed her name, was my
22 understanding of her earlier testimony.

23 MR. ROMNEY: I thought she said it was Ron that
24 wrote it. Jim?

25 MS. LANCASTER: No, I said Jim.

1 JUDGE STEINBERG: Okay, do not talk to each
2 other, please.

3 MS. LANCASTER: I will ask her again, Your Honor.

4 BY MS. LANCASTER:

5 Q Who wrote the sentence, "I no longer hold this
6 license, it was transferred to R. D. Brasher?"

7 A Jim Sumpter.

8 Q Okay. And you signed that statement, right?

9 A Yes.

10 Q You agreed with that statement?

11 A Yes.

12 Q Mr. Sumpter wrote it on your behalf?

13 A Yes.

14 Q Okay. When you or your husband wrote that
15 statement, what license were you talking about?

16 A Well, we thought this was the license that he
17 was, that was in dispute in '96. And he was supposed to be
18 getting it out of our names.

19 Q Okay.

20 JUDGE STEINBERG: And who is he?

21 THE WITNESS: Jim.

22 JUDGE STEINBERG: Jim was supposed to be getting
23 the license?

24 THE WITNESS: No, Ron was.

25 BY MS. LANCASTER:

1 Q But you and Jim thought -- you did not know
2 really what license --

3 A No.

4 Q -- this referred to.

5 A No.

6 Q At that -- when you received this form, did you
7 think you were supposed to have any licenses in your name?

8 A No.

9 Q As far as you knew, the earlier licenses had
10 already been transferred or expired?

11 MR. ROMNEY: Objection. Leading. Excuse me,
12 Your Honor.

13 JUDGE STEINBERG: Sustained.

14 BY MS. LANCASTER:

15 Q Did you know what had happened with the earlier
16 licenses that you had applied for?

17 A We thought they had been transferred out of our
18 names.

19 Q And --

20 JUDGE STEINBERG: Okay. The answer was, "We
21 thought they would be transferred out of our names."

22 MR. ROMNEY: I cannot hear anything when she goes
23 down to that lower voice, Your Honor. I am sorry, I do not
24 know what to --

25 JUDGE STEINBERG: You are going to have to force

1 yourself to maybe scream.

2 MS. LANCASTER: Okay?

3 JUDGE STEINBERG: Unless we can just move people
4 around. But then, you know, all of the support is back
5 there, too.

6 MS. LANCASTER: Try to speak up, okay?

7 MR. ROMNEY: We ask that the witness please speak
8 up.

9 BY MS. LANCASTER:

10 Q I would like for you next --

11 MS. LANCASTER: Excuse me, before I ask the next
12 question. Is that satisfactory? Does that cover that
13 subject enough for your purposes, Your Honor?

14 JUDGE STEINBERG: If you think it does.

15 MS. LANCASTER: We might go back to it, but --

16 JUDGE STEINBERG: No, I --

17 MS. LANCASTER: -- I was visiting it at your
18 request at this point.

19 JUDGE STEINBERG: No, I just, I wanted a time
20 period put on the documents. It did not have a date on it,
21 and that is fine.

22 MS. LANCASTER: Okay.

23 BY MS. LANCASTER:

24 Q Do you know when you received, the date that you
25 received that form?

1 A No. In fact, we got all this stuff in Net Wave,
2 probably in '98, but I don't know for sure.

3 Q But it was after you had already received the Net
4 Wave petition.

5 A Yes, ma'am.

6 Q Was it before you hired Mr. McVeigh?

7 A I do not know. I do not know.

8 Q Let's look at Exhibit 41. You found it?

9 A What page?

10 Q I want you to look at the first -- well, no,
11 starting on page three. I take that back. Specifically, I
12 would like for you to look at page three and four, but I
13 would like to know if you recognize page three through
14 eight. If you have ever seen all of the pages.

15 A Yes, ma'am, I've seen them.

16 Q Okay. Look on page -- do you know what this is?

17 A It's an application.

18 Q A license application? When was the first time
19 you saw it?

20 THE REPORTER: Excuse me, will you ask her to --

21 MS. LANCASTER: I am sorry. You need to answer
22 verbally, please.

23 THE WITNESS: Yes.

24 BY MS. LANCASTER:

25 Q When was the first time you saw the license

1 application?

2 A When Mr. McVeigh got them from the FCC, in --
3 well, he got them in 1999.

4 Q Okay. Look at page four of this exhibit. Page
5 two of the application, but it has got a little four in a
6 circle at the bottom.

7 Do you see on block 42, the signature block, that
8 there appears to be a name of Norma Sumpter?

9 A Yes.

10 Q Did you write that? Is that your signature?

11 A No.

12 Q In block 43 there appears a handwritten date of
13 6/18/96. Do you see that?

14 A Yes.

15 Q Did you place that date there?

16 A No.

17 Q Do you know who did?

18 A No.

19 Q Did anyone put your name on this application with
20 your permission?

21 A No.

22 Q Did you ever give anyone permission to file an
23 application in your name, in or around June of 1996?

24 A No.

25 Q I want to ask you a few questions about

1 Exhibit 42, 43, and 44. Those are the older applications
2 that you just looked at and identified.

3 JUDGE STEINBERG: Let me just tell Mrs. Sumpter
4 that if you need, when you are answering the questions, if
5 you need time to look over these exhibits again, feel free
6 to do so. Take whatever time is needed for that.

7 BY MS. LANCASTER:

8 Q I just want to ask you a few general questions,
9 Mrs. Sumpter. Do you have any specific memory of signing
10 the 1990, 8/7 1990 application? I believe you stated that
11 you did sign that one. That is the first one, the oldest
12 one that we showed you, Exhibit 42.

13 MR. McVEIGH: What is the Exhibit number?

14 JUDGE STEINBERG: That is Exhibit 42, page one,
15 which the witness is looking at.

16 BY MS. LANCASTER:

17 Q Do you have any specific memory of signing that
18 application?

19 A No. I don't --

20 JUDGE STEINBERG: Could you restate your answer a
21 little louder, please?

22 THE WITNESS: I said no, I don't really remember
23 signing it.

24 BY MS. LANCASTER:

25 Q But you stated that you did sign it; that that is

1 your signature.

2 A Yes, ma'am.

3 Q Why would you have signed that application?

4 A Because Ronald and Pat asked me to.

5 Q Do you recall them asking you to sign it?

6 A Yes.

7 Q Did they tell you why they wanted you to sign it?

8 A Because they could not get but a certain amount
9 of licenses in their names, and that they needed more
10 licensing. It was just as a favor for them.

11 Q Okay. Had you ever signed an application before
12 that?

13 A I don't know. I signed some either in the late
14 eighties or early nineties, but I don't know what the first
15 one was.

16 Q So you just have a memory of signing an
17 application, but you do not know specifically when you
18 signed the application.

19 A Correct.

20 Q And you remember signing how many applications?

21 A Well, I only remember signing one.

22 Q But you do not deny that Exhibit 43, page one of
23 Exhibit 43, that that is also your signature?

24 A No, ma'am.

25 Q You have no specific memory, as I understand your

1 testimony, of actually signing this document?

2 MR. ROMNEY: Which document are we talking about
3 when you say this document?

4 MS. LANCASTER: Exhibit 43.

5 MR. ROMNEY: Objection, Your Honor, leading,
6 then. Because she had never been asked before if she had
7 specific memory of signing Exhibit 43.

8 JUDGE STEINBERG: That is true.

9 BY MS. LANCASTER:

10 Q Do you have any specific memory of signing
11 Exhibit 43, Mrs. Sumpter?

12 A No.

13 Q You do not deny that you did sign it, though?

14 A No.

15 MR. PEDIGO: Objection, Your Honor.

16 MR. ROMNEY: Yes, which application 43, Your
17 Honor?

18 MR. PEDIGO: Two.

19 JUDGE STEINBERG: Start again, please.

20 BY MS. LANCASTER:

21 Q Page one of Exhibit 43. Do you see page one of
22 Exhibit 43?

23 A Yes.

24 Q I believe you testified that that is your
25 signature?

1 A Yes.

2 Q Do you have any specific current knowledge of

3 signing this application?

4 A No.

5 JUDGE STEINBERG: You do not remember signing it?

6 THE WITNESS: Mm-mnh.

7 MS. LANCASTER: Look at page --

8 MR. ROMNEY: I did not hear her answer.

9 THE WITNESS: No.

10 BY MS. LANCASTER:

11 Q Look at page six of Exhibit 43. Do you recognize

12 that document?

13 A Yes.

14 Q What is it?

15 A I assume it's an application.

16 Q Do you see your name written, a signature that

17 appears to be your name written at the bottom of it?

18 A Yes.

19 Q Is that your signature?

20 A No.

21 Q Do you see a handwritten date next to that name,

22 Norma L. Sumpter, at the bottom of page six?

23 A Yes.

24 Q Do you see a date of 2/4/93?

25 A Yes.

1 Q Did you write that date there?

2 A No.

3 Q Did you authorize anyone else to sign your name
4 to this application?

5 A No.

6 Q Do you have any specific current memory of this
7 application at all?

8 A No.

9 Q Explain to the Judge the circumstances
10 surrounding you signing any applications back in the early
11 nineties, or whenever you signed them. Why you did it, and
12 as best you recall, when you did it.

13 MR. ROMNEY: Objection, Your Honor. Calls for a
14 narrative answer.

15 JUDGE STEINBERG: Overruled.

16 THE WITNESS: We were asked to sign an
17 application so they could get licensed, and strictly as a
18 favor to them.

19 MR. ROMNEY: I cannot hear, Your Honor.

20 JUDGE STEINBERG: Please restate it, but louder.

21 THE WITNESS: We were asked to sign applications
22 for them to get radio licensed, strictly as a favor to them.

23 BY MS. LANCASTER:

24 Q Let me ask you a couple of, stop and ask you a
25 couple of questions. Who is "we?"

1 A The girls and I.

2 Q By the girls, do you mean Melissa Sumpter and
3 Jennifer Hill?

4 A That's correct.

5 Q And you were asked by them. Who were "them?"

6 A Pat and Ronald.

7 Q Do you have -- you can continue.

8 JUDGE STEINBERG: Or was that your whole answer?

9 THE WITNESS: That was my whole answer.

10 BY MS. LANCASTER:

11 Q Was this one conversation that you had with Pat
12 and Ronald? Or several?

13 A No, I think it was one.

14 Q Do you recall when that conversation occurred?

15 A No. I don't recall when they talked to us at the
16 beginning, I don't know. If I could remember the first
17 license, I could tell you when the conversation took place.
18 But I can't remember.

19 Q Okay. After you signed the first application,
20 did they ever come back to you and ask you to sign other
21 applications?

22 A I'm sure they did, because I signed some more.

23 JUDGE STEINBERG: I'm sure they did because I
24 signed some more.

25 BY MS. LANCASTER:

1 Q Do you recall when they approached you the second
2 time?

3 A No.

4 Q How many times do you recall them asking you to
5 sign applications? You need to speak verbally.

6 A I don't know.

7 Q You do not recall? You do not know?

8 A I don't recall.

9 Q And do you recall any time frame within which
10 these conversations, these requests, were taking place?

11 A The only one I remember is when, the first one.
12 We were in my house in the kitchen, I do remember that. But
13 the other ones, I don't remember.

14 Q And you agreed, after that first one, you agreed
15 to sign the application, did anyone else, did they also ask
16 Jennifer and Melissa, I believe you stated, to sign
17 applications?

18 A Yes.

19 Q Did Jennifer and Melissa also sign applications?

20 A Yes.

21 Q Both of them?

22 A Yes.

23 Q Did they sign their application at the same time
24 you signed your application?

25 A I don't believe we signed them all at the same

1 time.

2 Q Were you present when Jennifer or Melissa signed
3 their applications?

4 A I believe I was present when Melissa signed hers.

5 Q Okay. And do you have any specific memory of
6 Melissa signing an application?

7 A Yes. We were in the kitchen.

8 Q Okay. And who presented the application to you?

9 A I believe Pat and Ronald did.

10 Q Both of them?

11 A I believe so.

12 Q How about who presented the application to
13 Melissa?

14 A I believe Pat did.

15 Q How about to Jennifer?

16 A I don't remember.

17 Q Do not remember?

18 A On her.

19 Q Okay. At any time back in the early, the late
20 eighties or early nineties, did you get a car radio-phone
21 installed in your car?

22 A In the nineties?

23 Q Have you ever had one in your car?

24 A Yes.

25 Q Do you recall when you had it? The time period

1 within which you had it?

2 A We had it installed when Jennifer started college
3 in '89, the fall of '89.

4 Q And how long did you have the car phone in
5 Jennifer's car?

6 A Until 1992.

7 Q Who put it in?

8 A Ronald's service people did.

9 Q Did you ask for the car radio-phone?

10 A No, ma'am.

11 Q How did it come that you got one?

12 A My sister told me that she wanted to put one in
13 Jennifer's car.

14 Q Why --

15 A Patricia.

16 Q I am sorry. Patricia, your sister Patricia, said
17 she wanted to put one in Jennifer's car?

18 A Yes.

19 Q Why would she say that?

20 A Because Jennifer was commuting to college, and
21 there is places out there that there is no phones or
22 anything. That was just in case she had car trouble or
23 something, emergency.

24 Q Had you had conversations with Pat? Did you
25 voice any concerns about Jennifer's safety on that commute?

1 A Probably. I mean, we talked.

2 Q Other than the car phone that was put in
3 Jennifer's car in the fall of 1989 that you stated was taken
4 out in 1992, have you had any other radios or any other type
5 of equipment loaned to you by DLB?

6 A No.

7 Q Did you pay any money for the use of the car
8 radio?

9 A Not while Ronald owned it, we didn't.

10 JUDGE STEINBERG: Do you need that again? Not
11 while Ronald owned it, we didn't.

12 THE REPORTER: Excuse me. Ma'am, could you pull
13 the mike a bit closer? Thank you.

14 BY MS. LANCASTER:

15 Q When did you pay money for the use of the car
16 radio?

17 A It was after Ronald sold some radio license.

18 Q How do you know -- I am sorry, go ahead. How do
19 you know he sold radio licenses?

20 A Because he came over and talked to Jim about the
21 tax consequences on his return.

22 Q Did you ever receive a bill for the use of that
23 car radio?

24 A From who?

25 Q From anybody.

1 A Yes.

2 Q Who did you receive a bill from?

3 A From Fleet Call.

4 Q Do you remember the amount of the bill?

5 A Between two and three hundred dollars. I don't

6 really know.

7 Q Do you know specifically what time period the

8 charges were for?

9 A No.

10 Q Did you handle that, taking care of that bill?

11 A Yes.

12 Q You personally handled it?

13 A I personally handled it, yes.

14 Q Okay, what did you do to handle it?

15 A I paid it.

16 Q You wrote a check for it? You wrote a check to

17 pay the Fleet Call bill?

18 A Yes.

19 Q Do you recall the date that you wrote the check?

20 A No.

21 Q How many radios have you ever had, period -- car

22 radios or mobile radios or base station radios -- in your

23 home?

24 MR. McVEIGH: Objection. "They." Can we get

25 clarification on what type of radios, transmitting or

1 receiving?

2 JUDGE STEINBERG: I thought that was part of the
3 question.

4 MS. LANCASTER: I said how many radios, total
5 radios, she has ever had.

6 JUDGE STEINBERG: Maybe you should, I think --
7 and then you broke it down into, what, two-ways, mobiles,
8 car, I do not know.

9 MS. LANCASTER: I said mobiles, car, home, base
10 station in your home.

11 JUDGE STEINBERG: Maybe you want to ask separate
12 questions.

13 MS. LANCASTER: Okay.

14 JUDGE STEINBERG: Then that way there will not be
15 any confusion or vagueness.

16 BY MS. LANCASTER:

17 Q If I understand your prior testimony, you only
18 have had one car radio. Is that correct?

19 A Correct.

20 Q And that was the one that was in Jennifer's car?

21 A Correct.

22 Q Have you ever had one in your vehicle?

23 A No.

24 Q Jim ever had one in his vehicle?

25 A No.

1 Q Jennifer -- Melissa ever had one in her vehicle?

2 A No.

3 Q Jennifer had any others in her vehicles?

4 A From DLB?

5 Q Yes.

6 A No. That's the only one she ever had.

7 Q Okay. Did you ever have any kind of radio at
8 home?

9 A No.

10 JUDGE STEINBERG: When we say radios, we are
11 referring to the two-way radios that were the type of radios
12 sold and serviced by DLB. When you answered Ms. Lancaster's
13 question, did you answer it thinking those were the types of
14 radios that she was asking you about?

15 THE WITNESS: Yes.

16 MS. LANCASTER: I am sorry, Your Honor, I should
17 have clarified that.

18 BY MS. LANCASTER:

19 Q Were you ever told by anyone from DLB that the
20 radio that was put into Jennifer's car was provided by DLB
21 as payment to you or to anyone in your family for signing a
22 radio application?

23 A No.

24 Q You need to speak a little louder.

25 A No.

1 Q Would you look in Exhibit 19, which is the other
2 notebook? It is a very large notebook.

3 JUDGE STEINBERG: This one here. You need help
4 lifting it.

5 BY MS. LANCASTER:

6 Q And turn to page 197. Before you, as you do that
7 I am also going to refer you back to Exhibit 41 just
8 briefly, as a set-up. I will open this for you.

9 JUDGE STEINBERG: And Ms. Lancaster is
10 specifically referring to 41, pages three and four. That is
11 what she is showing the witness.

12 MS. LANCASTER: Correct, Your Honor.

13 BY MS. LANCASTER:

14 Q Mrs. Sumpster, you just testified that you
15 recognized Exhibit 41, three through the end of the exhibit,
16 I believe, as being an application for a radio license.

17 A Yes.

18 Q Exhibit 19, page 197, do you recognize that
19 document?

20 A As a license.

21 Q Have you ever seen it before?

22 A When I took the deposition.

23 Q Prior to that time, had you ever seen it?

24 A No.

25 Q Okay. Do you now understand that this is a radio

1 license for, that was issued in your name?

2 A Yes.

3 Q And can you look on the document and see that the
4 call signs for the license issued in your name are WPJR739?

5 A Yes.

6 Q And that the issue date is 9/25, 1996?

7 A Yes.

8 Q And the expiration date is 9/25, 2001?

9 A Yes.

10 Q Prior to receiving a copy of, I believe you
11 stated earlier you received a copy of the Net Wave petition,
12 is that correct?

13 A Yes.

14 Q Look at Exhibit 1, and hold your finger where you
15 are. But the Net Wave petition is, what I am referring to
16 as the Net Wave petition is Exhibit 1. Can you look at
17 Exhibit 1? I know --

18 JUDGE STEINBERG: Yes, we are going to need
19 muscle up here.

20 MS. LANCASTER: I got it.

21 BY MS. LANCASTER:

22 Q I just want to confirm, when we refer to the Net
23 Wave petition, that we are all talking about the same
24 documents. Exhibit 1, is that what you understand to be the
25 Net Wave petition?

1 A Yes.

2 Q When did you get a copy of it? Do you recall?

3 A In November of '97.

4 Q On page 65 of Exhibit 1 -- you can turn if you
5 would like, but I am going to tell you what it says,
6 basically. It is a certificate of service which indicates
7 that the petition was mailed out to all of the various
8 people who received it on November 14 of 1997.

9 Do you recall receiving it a day or two, or a few
10 days after that date?

11 A I don't know when I received it.

12 Q Okay. You just recall in November?

13 A I just know it was in November, but I don't
14 recall when.

15 Q And when you refer to the Net Wave petition, this
16 is the document you are talking about.

17 A Yes, ma'am.

18 Q The address on the certificate of service for the
19 petition, your address is listed as 4008 Harbinger Drive,
20 Mesquite, Texas, 75150? Is that your correct address?

21 A No.

22 Q How did you get it? Did you get it in the mail
23 anyway?

24 A Yes, ma'am.

25 Q Now, back to page 197 of Exhibit 19. Did you

1 understand that this license that is issued in your name,
2 this September of 1996 license, is what was being discussed
3 in the Net Wave petition?

4 A Um, I don't --

5 Q When you got the Net Wave petition, did you know
6 that you had a license in your name?

7 A No.

8 Q Okay. And I believe you stated you did not sign
9 the application for this license, is that correct?

10 A That's correct.

11 Q All right. Look on page 198, 199, 200 -- let's
12 see how far it goes -- 198 through 204 of Exhibit 19. But I
13 specifically want to ask you about page 200.

14 Do you see that on page 198 it says "client's
15 copy" at the top of it?

16 A Yes.

17 Q And on page 199 through 219, that these appear to
18 be the same documents --

19 JUDGE STEINBERG: I think you said 199 through
20 219.

21 MS. LANCASTER: I am sorry. Through 204. I
22 apologize.

23 BY MS. LANCASTER:

24 Q One-ninety-nine through 204.

25 A Okay.

1 Q It appears also to be a license application that
2 contains the same information as is contained on the license
3 application shown in Exhibit 41. This is just a client
4 copy. Do you understand that?

5 A Yes.

6 Q Okay. Look on page 200 of Exhibit 19. In block
7 42, which is the signature block of this application, there
8 appears to be your signature. Do you see that?

9 A Yes.

10 Q Did you write that?

11 A No.

12 Q Is that your signature?

13 A No.

14 Q Did you give anyone permission to write your
15 signature on this application?

16 A No.

17 Q I do not know if you can see it because the copy
18 is so bad, but in the block immediately to the right of the
19 signature is also a handwritten date, that on my copy you
20 cannot really see the month very well, but I --

21 JUDGE STEINBERG: Why don't you ask the witness
22 how she reads it?

23 BY MS. LANCASTER:

24 Q Okay, how do you read it?

25 A Six-22-96.

1 Q Okay. Did you write that date?

2 A No.

3 Q Do you have any knowledge about who would have
4 written your signature on this page?

5 A No.

6 Q Do you have any knowledge about when that
7 signature was put on this page?

8 A No.

9 Q In June of 1996, did you have, give anyone
10 permission to write your signature --

11 A No.

12 Q -- for anything?

13 A No.

14 Q If there has been testimony in this hearing,
15 Mrs. Sumpter, that on June 22 of 1996 you and Jennifer and
16 Melissa went to your sister, Patricia Brasher's, house --

17 JUDGE STEINBERG: Why don't you just ask --
18 instead of saying if there was testimony, I know where you
19 are going -- just ask the questions. On June 26 did you,
20 did they. I think you follow -- because you are going to
21 get an objection. And we can, of course the time that I am
22 using could have been used for the objection.

23 (Laughter.)

24 JUDGE STEINBERG: But I think let's not, let's
25 not suggest anything. And I think you can get the same